

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

NOVO NORDISK A/S and)	
NOVO NORDISK INC.)	
)	Civil Action No. 2:05 CV 40188
Plaintiffs-Counterclaim Defendants,)	
)	Judge Avern Cohn
v.)	
)	
CARACO PHARMACEUTICAL)	
LABORATORIES, LTD. and)	
SUN PHARMACEUTICAL)	
INDUSTRIES, LTD.)	
)	
Defendants-Counterclaim Plaintiffs.)	
_____)	

ORDER AND INJUNCTION

The Court has granted Caraco's Motion for Summary Judgment on its Fourth Counterclaim and Sixth Affirmative Defense (Dkt #317), with regard to Caraco's Fourth Counterclaim asserted under 21 U.S.C. § 355(j)(5)(C)(ii)(I)(bb), as set forth in the Court's Decision re: Doc. 318 (Dkt # 421). The Court previously denied Novo Nordisk's Motion to Dismiss (Dkt #337) in a Memorandum decision (Dkt #371). In accordance with those two decisions, the Court hereby enters the following Injunction:

Novo Nordisk is hereby directed by mandatory injunction under 21 U.S.C. § 355(j)(5)(C)(ii)(1)(bb) to correct within twenty (20) days from the date of this Order and Injunction its inaccurate description of the '358 patent by submitting to FDA an amended Form FDA 3542 that reinstates its former U-546 listing for Prandin and describes claim 4 of the '358

patent in section 4.2b as covering the “use of repaglinide in combination with metformin to lower blood glucose.”

SO ORDERED this 25th day of September, 2009

s/Avern Cohn

AVERN COHN

United States District Judge